

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 72 - SB 727

April 6, 2021

SUMMARY OF ORIGINAL BILL: Authorizes the Commissioner of the Department of Correction (DOC) to certify certain chronically debilitated or incapacitated inmates eligible for parole. Clarifies the conditions for which an inmate is authorized to be granted a medical furlough.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006409): Deletes and replaces all language after the enacting clause such that the substantive changes are to: (1) add not serving a sentence for more than one conviction for first degree murder or facilitation for first degree murder to the eligibility criteria; and (2) require the Board of Parole to send notice to members of the General Assembly who represent the district where an offender granted parole in outlined circumstances last resided prior to incarceration.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation authorizes the Commissioner of DOC to certify inmates as eligible for parole if they meet the following requirements:
 - At least 70 years of age;
 - Served a minimum of five years in custody;
 - Not serving a sentence for a violent sexual offense;
 - Not serving a sentence for more than one conviction for first degree murder or facilitation for first degree murder;
 - Not serving a sentence of imprisonment for life without possibility of parole; and
 - Has two sworn statements from physicians, at least one of whom is the DOC Director of Medical Services, certifying that the condition of the inmate is chronic, incurable, and will likely result in the inmate's death.
- Based on information provided by DOC, over the last three years, the proposed legislation would have made an average of four inmates eligible for parole consideration each year.

- Any fiscal impact resulting from granting parole or furlough to eligible chronically debilitated or incapacitated inmates is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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